

# CITY OF LEWISTON

**CITY COUNCIL**

**DECEMBER 15, 1998**

## **REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.**

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Kelly, Carignan, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready and Assistant City Administrator Peter Crichton.

ABSENT: Councilor Lynch.

Pledge of Allegiance to the Flag.

Moment of Silence.

City Administrator Robert J. Mulready swore in student representatives to serve on the following City boards:

School Committee:	Priscilla Begin, grade 12 Nicholas Danforth, grade 11
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City Council:	Karen Gagnon, grade 10 Johanna Mathieu, grade 11
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Planning Board:	Shadd Masood, grade 12 Amy Parker, grade 11 Rob Sawyer, grade 12
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Library Trustees Board:	Sarah Grube, grade 12 Rebecca Bernier, grade 11
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Historic Preservation Board:	Ian Ashland, grade 11
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Cable Television Advisory Board:	Ian Ashland, grade 11
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Robert J. Mulready complimented Public Works Director Christopher Branch for his leadership in delivering a co-sponsor for H.R. 4242, the Combined Sewer Overflow Control and Partnership Act of 1998, which the City of Lewiston was awarded the Silver Award for Special Recognition.

Chris Branch made a brief presentation with recognition for Solid Waste Superintendent Steve Johnson for his work in supporting the City's efforts in contacting the legislators with regards to the CSO Partnership.

Mayor Tara commented on the Downeast Magazine article concerning the City of Lewiston.

Councilor Albert requested that there be a school report on each City Council Agenda from the City Council representative to the School Committee.

**VOTE (1)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To dispense with the reading of the minutes of the November 17 & 24, 1998, meetings and to accept and place them on file as prepared by the Deputy City Clerk. Passed - Vote 6-0

**CONTINUATION OF THE PUBLIC HEARING ON AN ORDINANCE  
PERTAINING TO RELAXATION OF SPACE AND BULK STANDARDS**

**VOTE (2)**

Motion by Councilor Carignan, seconded by Councilor Kelly:

That the public hearing on the ordinance pertaining to relaxation of space and bulk standards be continued to the meeting of January 5, 1999. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO  
ZONING BOUNDARIES**

The ordinance pertaining to Zoning Boundaries received its first reading at this time.

**VOTE (3)**

Motion by Councilor Albert, seconded by Councilor Carignan:

That the ordinance pertaining to Zoning Boundaries, rezoning the properties located on Walnut Street from Neighborhood Conservation "B" (NCB) District to Community Business (CB) District has passage on first reading by a ye and nay vote. Passed - Vote 6-0

**VOTE (4)**

Motion by Councilor Bilodeau, seconded by Councilor Putnam:

That Section 7(c) of the Rules Governing the City Council be suspended to allow for a second reading at this time.  
Passed - Vote 6-0  
The ordinance pertaining to Zoning Boundaries received its

second reading at this time.

**VOTE (5)**

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

That the ordinance pertaining to Zoning Boundaries, rezoning the properties located on Walnut Street from Neighborhood Conservation "B" (NCB) District to Community Business (CB) District has final passage by a yea and nay vote.  
Passed - Vote 6-0

**PUBLIC HEARING PERTAINING TO STORMWATER MANAGEMENT  
AND EROSION AND SEDIMENTATION CONTROL**

The ordinance pertaining to Stormwater Management and Erosion and Sedimentation Control received its first reading at this time.

James Lysen, Planning Director, made a brief presentation on the benefits of this ordinance.

**VOTE (6)**

Motion by Councilor Albert, seconded by Councilor Samson:

That the ordinance pertaining to Stormwater Management and Erosion and Sedimentation Control has passage on first reading by a yea and nay vote. Passed - Vote 6-0

**VOTE (7)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

That Section 7 (c) of the Rules Governing the City Council be suspended to allow for a second reading at this time.  
Passed - Vote 6-0

The ordinance pertaining to Stormwater Management and Erosion and Sedimentation Control received its second reading at this time.

**VOTE (8)**

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

That the ordinance pertaining to Stormwater Management and Erosion and Sedimentation Control has final passage by a yea and nay vote. Passed - Vote 6-0  
Lionel Guay, chairman of the Festival de Joie Committee, made a brief presentation about the upcoming event.

**VOTE (9)**

Motion by Councilor Samson, seconded by Councilor Albert:

To approve the request from the Festival de Joie Committee for assistance for the festival to be held July 30, 31 & August 1, 1999 at the Central Maine Civic Center and Drouin Field Complex to include a downtown prelude on July 28 & 29, 1999, and agree to include \$3,000.00 in the upcoming 1999-2000 fiscal year budget in support for the prelude.

Passed - Vote 6-0

Rick Speer, Library Director, made a brief presentation about the requested advance to complete the Library Project.

A motion was made by Councilor Putnam and seconded by Councilor Bilodeau to accept the recommendation of the Finance Director and to authorize the advancement of \$135,000.00 for the completion of the Library renovation project. Interest to be charged as outlined in the memo from the Finance Director dated December 1, 1998.

A motion made by Councilor Carignan to amend the motion by deleting the interest charge failed due to lack of a second.

**VOTE (10)**

Motion by Councilor Putnam, seconded by Councilor Bilodeau:

To accept the recommendation of the Finance Director and to authorize the advancement of \$135,000.00 for the completion of the Library renovation project. Interest to be charged as outlined in the memo from the Finance Director dated December 1, 1998. Passed - Vote 6-0

A motion was made by Councilor Samson and seconded by Councilor Bilodeau to approve the amendment to the Lewiston Raceway Tax Increment Financing Agreement dated June 2, 1993, and modified in 1994, and further to authorize the City Administrator to execute any and all documents and to submit the necessary documents to the State of Maine Department of Economic and Community Development for approval.

City Administrator Robert Mulready clarified that item D of City Attorney Robert Hark's letter dated December 11, 1998, outlining the salient features of the Agreement, be eliminated because this statement was not part of the agreement. In addition, Mr. Mulready stated that the term of

the agreement is for seven (7) years.

Both City Administrator Robert Mulready and Finance Director Richard Metivier offered comments on the TIF Agreement.

**VOTE (11)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To approve the agreement that is outlined in Mr. Hark's letter dated December 11, 1998, as amended, to the Lewiston Raceway Tax Increment Financing Agreement dated June 2, 1993, and modified in 1994, and further to authorize the City Administrator to execute any and all documents and to submit the necessary documents to the State of Maine Department of Economic and Community Development for approval.

Passed - Vote 6-0

**VOTE (12)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To accept the recommendation of the Police Department and to amend the Traffic Schedule as follows:

SECTION 19

PARKING TIME REGULATED - 15 MINUTES

~~GREEN STREET~~

~~Southwest side beginning at a point 25' from the westerly corner of Green St. and East Ave. and extending northwesterly along the southwesterly line of Green St. a distance of 38'.~~

SECTION 33

PARKING TIME REGULATED - 2 HOURS

GREEN STREET

Southwest side beginning at a point 25' from the westerly corner of Green St. and East Ave. and extending northwesterly along the southwesterly line of Green St. a distance of 38'.

NOTE: (Additions are underlined; deletions are ~~struck-out~~).

Passed - Vote 6-0

**VOTE (13)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To accept the recommendation of the Police Department and to amend the Traffic Schedule as follows:

SECTION 42 - YIELD SIGNS

HACKETT STREET                      1 sign at Cumberland Ave.

NOTE: (Additions are underlined; deletions are ~~struck-out~~).  
Passed - Vote 6-0

## VOTE (14)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To accept the recommendation of the Police Department and to amend the Traffic Schedule as follows:

### SECTION 3 - LOADING ZONES

LISBON STREET    ~~East side beginning at a point 213' northerly of the northeast corner of Lisbon St & Birch St and extending northerly on Lisbon St a distance of 60' (Combination loading zone & taxi zone) 30 minutes - 7:30 AM to 6:00 PM except Sundays & Holidays.~~

Even numbered side, east side, beginning at a point 158' northwesterly of the northwest corner of Lisbon St & Birch St and extending northwesterly on Lisbon St a distance of 154' (One Hour - restricted to commercial vehicles 30,000 pounds GVW and above - 5:00 AM to 5:00 PM - Monday through Friday).

### SECTION 39 - TAXICAB ZONES

LISBON STREET    ~~East side 3 stands beginning at a point 213' northerly of the northeast corner of Lisbon St & Birch St and extending northerly on Lisbon St a distance of 60' (combination taxicab & loading zone).~~

~~East side 1 stand beginning at a point 105' northerly of the northeast corner of Lisbon St & Cedar St and extending northerly on Lisbon St a distance of 20'.~~

Odd numbered side, west side, beginning at a point 51' northwesterly of the northwest corner of Lisbon St & Cedar St and extending northwesterly on Lisbon St a distance of 40' (2 stands).

~~PINE STREET      North side 2 stands beginning at a point 50' westerly of the northwesterly corner of Pine~~

~~St & Park St and extending on Pine St a  
distance of 38'.~~

NOTE: (Additions are underlined; deletions are ~~struck out~~).

Passed - Vote 6-0

**VOTE (15)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To elect to proceed with the reconstruction of the Crowley Road Bridge reconstruction project in accordance with Maine Revised Statutes Annotated, Title 23, Sub-chapter VII and the terms outlined in a letter from the State of Maine Department of Transportation dated November 16, 1998.

Passed - Vote 6-0

**VOTE (16)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To approve the Memorandum of Understanding between the State of Maine Department of Transportation and the City of Lewiston for the reconstruction of the Merrill Road railroad crossing, and to authorize the City Administrator to sign the agreement on behalf of the City of Lewiston.

Passed - Vote 6-0

**VOTE (17)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

In accordance with the Maine Revised Statutes Annotated, Title 36, Section 944, this City Council hereby authorizes the City Treasurer to file a waiver of foreclosure of tax lien mortgages of real and/or personal property in the Androscoggin County Registry of Deeds, on the W.S. Libbey property, parcel #6348 located at 21 Mill Street. The property is currently assessed to Norman Burdzell - Party in Possession to the City of Lewiston dated June 18, 1997 and recorded in the Androscoggin County Registry of Deeds in Book 3796 Page 197 is hereby waived.

Passed - Vote 6-0

Councilor Joyce Bilodeau, Chairman of the Land Committee, commented on the recommendation in favor of the requested action.

**VOTE (18)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to dispose of the property located at 141 Pine Street through the normal bidding process. Passed - Vote 6-0

**VOTE (19)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to proceed with the acquisition of the property located at 195 Blake Street for the tax valuation of the property. Passed - Vote 6-0

**VOTE (20)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to let the property located at 148 Bartlett Street go through the normal tax acquisition process. Passed - Vote 6-0

**VOTE (21)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to proceed with the acquisition and demolition of the four properties located at 318-340 Lisbon Street for the purpose of creating parking for the Police Station. Passed - Vote 6-0

**VOTE (22)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to dispose of the tax acquired property located at 104 Blake Street as quickly as possible. Passed - Vote 6-0

**VOTE (23)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to dispose of the following buildings through the normal bidding process:

159 Bartlett Street, 192 Bartlett Street, 304 Bates Street, 108 Birch Street, 264 Blake Street, 266 Blake Street, 585 College Street, 16 Howe Street, 62 Knox Street, 41 Lessard Street, and 261 River Road.

Passed - Vote 6-0

**VOTE (24)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board and to authorize the Purchasing Agent to demolish the buildings located at 269 Lincoln Street (two buildings), 299 Lincoln Street, and 803 Sabattus Street.

Passed - Vote 6-0

**VOTE (25)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and Planning Board not to dispose of the properties located at 317 Lisbon Street, 411 Lisbon Street, 64 No Name Pond Road, 266 Park Street, and 803 Sabattus Street. Passed - Vote 6-0

**VOTE (26)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To accept the recommendation of the Land Committee and to authorize the Purchasing Agent to demolish the properties located at 23 Sand Hill Road and 24 Sand Hill Road.

Passed - Vote 6-0

Gregory Mitchell, Development Director, made a brief presentation on four economic development initiatives by the City.

**VOTE (27)**

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To grant Special Amusement Permits for Dancing and Entertainment to the following:

Acme Social Club, 255 Park Street  
Ramada, 490 Pleasant Street  
South End Social Club, 327 Lisbon Street

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Sportsman's Athletic Club, Inc., 2 Bates Street

Passed - Vote 6-0

**VOTE (28)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To adjourn at 9:12 P.M. Passed - Vote 6-0

A true record, Attest:

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Kelly J. Mercier  
Deputy City Clerk  
Lewiston, Maine